

Heller Ehrman White & McAuliffe LLP  
Attorney Docket No.

U.S. Serial No. 10/656,752  
Corinna Lohning

REMARKS

Applicant elects the claims of Group I (claims 17, 19 and 22) for examination in this case. This election is made with traverse on the grounds that claims 17-22 can be examined without undue burden on the Examiner. Claims 18-22 all ultimately depend from claim 17. Accordingly, if claim 17 is found novel and non-obvious over the prior art, then claims 18-22 must *a priori* also be novel and non-obvious. Applicants have amended claim 18 to make clear that the one or more peptide sequences recited in subpart (c) are fused to the modified variant of the wild type coat protein. It appears that the Examiner was under the impression that these one or more peptide sequences were somehow appended to the nucleic acid sequence recited in claim 17. In light of the claim amendments set forth above, applicant respectfully requests that claims 17-22 be examined together.

The Examiner also set forth an election of species requirement. For initial examination on the merits applicant elects:

- i. the gene III protein with an additional methionine residue at the N-terminus as the modified variant of a wild type protein. All claims read on this species.
- ii. 5 histidines and 1 cysteine as the one to six additional amino acid residues. All claims read on this species.
- iii. a vector for expression of Fab antibody fragments, comprising two nucleic acid sequences encoding the VH-CH and the VL-CL chains as the vector. All claims read on this species.
- iv. *E. coli* as the host cell. Claim 22 reads on this host cell.

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Applicants believe that the present application is now in condition for examination and await an office action on the merits.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

Respectfully submitted,

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